

§61.39

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(4) Take any part of a knowledge test on behalf of another person;

(5) Be represented by, or represent, another person for a knowledge test;

(6) Use any material or aid during the period that the test is being given, unless specifically authorized to do so by the Administrator; and

(7) Intentionally cause, assist, or participate in any act prohibited by this paragraph.

(b) An applicant who the Administrator finds has committed an act prohibited by paragraph (a) of this section is prohibited, for 1 year after the date of committing that act, from:

(1) Applying for any certificate, rating, or authorization issued under this chapter; and

(2) Applying for and taking any test under this chapter.

(c) Any certificate or rating held by an applicant may be suspended or revoked if the Administrator finds that person has committed an act prohibited by paragraph (a) of this section.

§61.39 Prerequisites for practical tests.

(a) Except as provided in paragraphs (b) and (c) of this section, to be eligible for a practical test for a certificate or rating issued under this part, an applicant must:

(1) Pass the required knowledge test within the 24-calendar-month period preceding the month the applicant completes the practical test, if a knowledge test is required;

(2) Present the knowledge test report at the time of application for the practical test, if a knowledge test is required;

(3) Have satisfactorily accomplished the required training and obtained the aeronautical experience prescribed by this part for the certificate or rating sought;

(4) Hold at least a current third-class medical certificate, if a medical certificate is required;

(5) Meet the prescribed age requirement of this part for the issuance of the certificate or rating sought;

(6) Have an endorsement, if required by this part, in the applicant's logbook or training record that has been signed by an authorized instructor who certifies that the applicant—

(i) Has received and logged training time within 60 days preceding the date of application in preparation for the practical test;

(ii) Is prepared for the required practical test; and

(iii) Has demonstrated satisfactory knowledge of the subject areas in which the applicant was deficient on the airman knowledge test; and

(7) Have a completed and signed application form.

(b) Notwithstanding the provisions of paragraphs (a)(1) and (2) of this section, an applicant for an airline transport pilot certificate or an additional rating to an airline transport certificate may take the practical test for that certificate or rating with an expired knowledge test report, provided that the applicant:

(1) Is employed as a flight crewmember by a certificate holder under part 121, 125, or 135 of this chapter at the time of the practical test and has satisfactorily accomplished that operator's approved—

(i) Pilot in command aircraft qualification training program that is appropriate to the certificate and rating sought; and

(ii) Qualification training requirements appropriate to the certificate and rating sought; or

(2) Is employed as a flight crewmember in scheduled U.S. military air transport operations at the time of the practical test, and has accomplished the pilot in command aircraft qualification training program that is appropriate to the certificate and rating sought.

(c) A person is not required to comply with the provisions of paragraph (a)(6) of this section if that person:

(1) Holds a foreign-pilot license issued by a contracting State to the Convention on International Civil Aviation that authorizes at least the pilot privileges of the airman certificate sought;

(2) Is applying for a type rating only, or a class rating with an associated type rating; or

(3) Is applying for an airline transport pilot certificate or an additional

rating to an airline transport pilot certificate in an aircraft that does not require an aircraft type rating practical test.

(d) If all increments of the practical test for a certificate or rating are not completed on one date, all remaining increments of the test must be satisfactorily completed not more than 60 calendar days after the date on which the applicant began the test.

(e) If all increments of the practical test for a certificate or a rating are not satisfactorily completed within 60 calendar days after the date on which the applicant began the test, the applicant must retake the entire practical test, including those increments satisfactorily completed.

[Doc. No. 25910, 62 FR 16298, Apr. 4, 1997; Amdt. 61-103, 62 FR 40897, July 30, 1997, as amended by Amdt. 61-104, 63 FR 20286, Apr. 23, 1998]

§ 61.41 Flight training received from flight instructors not certificated by the FAA.

(a) A person may credit flight training toward the requirements of a pilot certificate or rating issued under this part, if that person received the training from:

(1) A flight instructor of an Armed Force in a program for training military pilots of either—

- (i) The United States; or
- (ii) A foreign contracting State to the Convention on International Civil Aviation.

(2) A flight instructor who is authorized to give such training by the licensing authority of a foreign contracting State to the Convention on International Civil Aviation, and the flight training is given outside the United States.

(b) A flight instructor described in paragraph (a) of this section is only authorized to give endorsements to show training given.

§ 61.43 Practical tests: General procedures.

(a) Except as provided in paragraph (b) of this section, the ability of an applicant for a certificate or rating issued under this part to perform the required tasks on the practical test is

based on that applicant's ability to safely:

(1) Perform the tasks specified in the areas of operation for the certificate or rating sought within the approved standards;

(2) Demonstrate mastery of the aircraft with the successful outcome of each task performed never seriously in doubt;

(3) Demonstrate satisfactory proficiency and competency within the approved standards;

(4) Demonstrate sound judgment; and

(5) Demonstrate single-pilot competence if the aircraft is type certificated for single-pilot operations.

(b) If an applicant does not demonstrate single pilot proficiency, as required in paragraph (a)(5) of this section, a limitation of "Second in Command Required" will be placed on the applicant's airman certificate. The limitation may be removed if the applicant passes the appropriate practical test by demonstrating single-pilot competency in the aircraft in which single-pilot privileges are sought.

(c) If an applicant fails any area of operation, that applicant fails the practical test.

(d) An applicant is not eligible for a certificate or rating sought until all the areas of operation are passed.

(e) The examiner or the applicant may discontinue a practical test at any time:

(1) When the applicant fails one or more of the areas of operation; or

(2) Due to inclement weather conditions, aircraft airworthiness, or any other safety-of-flight concern.

(f) If a practical test is discontinued, the applicant is entitled credit for those areas of operation that were passed, but only if the applicant:

(1) Passes the remainder of the practical test within the 60-day period after the date the practical test was discontinued;

(2) Presents to the examiner for the retest the original notice of disapproval form or the letter of discontinuance form, as appropriate;

(3) Satisfactorily accomplishes any additional training needed and obtains the appropriate instructor endorsements, if additional training is required; and